

HAYWARD CITY COUNCIL

RESOLUTION NO. 23- \_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION REJECTING THE BID FROM NEMA CONSTRUCTION AND AWARDING CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR TRAFFIC SIGNAL MODIFICATION AT JACKSON STREET PROJECT, PROJECT NO. 05270 IN THE AMOUNT OF \$622,540

WHEREAS, by Resolution No. 23-077, on April 11, 2023, the City Council approved plans and specifications for Traffic Signal Modification at Jackson Street Project No. 05270 and called for bids to be received by May 9, 2023; and

WHEREAS, on May 9, 2023, five (5) bids were received ranging from \$405,200 to \$808,910. The low bid, submitted by Nema Construction, is approximately 1.7% below the Engineer's Estimate of \$412,000. The second lowest bid, submitted by Ray's Electric, is at \$622,540, which is approximately 51% higher than the Engineer's estimate.

WHEREAS, on May 17, 2023, Nema Construction requested to withdraw their bid from consideration due to multiple errors in the pricing on four items in their bid proposal. Staff reviewed the change and determined the bid to be irresponsible.

NOW, THEREFORE, BE IT RESOLVED by the City Council that Ray's Electric of Oakland, CA is hereby awarded the contract for the Traffic Signal Modification at Jackson Street Project No. 05270, in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward, at and for the price named and stated in the final proposal of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED by the City Council that the Director of Public Works is authorized to expend up to \$809,302 for construction, construction contingencies, construction administration, inspection, and testing to complete the project.

BE IT FURTHER RESOLVED that the project is categorically exempt from environmental review under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

IN COUNCIL, HAYWARD, CALIFORNIA

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTESTED: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward